

C. Remarks

The claims are 6-11 and 13-15, with claims 6 and 11 being independent. Claim 12 has been cancelled. Claim 11 has been amended to include the features of claim 12. No new matter has been added. Reconsideration of the present claims is expressly requested.

The Examiner noted in the Advisory Action, issued on December 27, 2004, that claim 6 as presented in the Amendment After Final Rejection, filed on December 20, 2004, appears to be patentable over the art of record. However, the Examiner continues to maintain that claim 12 is still anticipated by EP 0 951 047 A2 (Iwasaki). The grounds of rejection are respectfully traversed.

While Applicants disagree with the Examiner's interpretation of Iwasaki, to further distinguish claim 11, this claim has now been amended to specify that the columnar parts are composed of a magnetic material. This is neither taught nor suggested by Iwasaki.

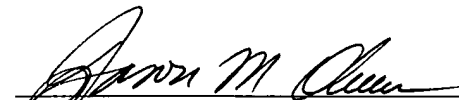
In particular, the structure alluded to by the Examiner in referring to paragraphs [0041] and [0042] in Iwasaki is understood to be shown in Fig. 26 and described in the Seventeenth Embodiment in Iwasaki. In particular, the p-type region in Fig. 26 has been alleged to represent the presently claimed invention. In the p-type region in Fig. 26 of Iwasaki, however, the nano holes are not filled with a magnetic material.

Specifically, during the formation of this structure, Co fills the nano holes on the n-type regions. Co cannot fill the nano holes on the p-type region when it is structured as shown in Fig. 26 (see paragraph [0160]). Accordingly, it is clear that Iwasaki cannot affect the patentability of the presently claimed invention.

Wherefore, Applicants respectfully request that all rejections be withdrawn and the present case be passed to issue.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,


A handwritten signature in black ink, appearing to read "Jason M. Okun", is written over a horizontal line.

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